

No. 47, the 8th January, 1970

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 6th January, 1970.

P.N. THUKRAL,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 350-1Lab-70/2496.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Haryana Pencil Factory (P) Ltd., Gurgaon.

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL HARYANA,
FARIDABAD

Reference No. 73 of 1969

between

THE WORKMEN AND THE MANAGEMENT OF M/S HARYANA PENCIL FACTORY (P) LTD.,
GURGAON

Present:—Shri Shardha Nand, for the workman.

Shri R.K. Kapoor, Managing Director.

AWARD

Shri Durga Dutt Joshi was in the service of M/s Haryana Pencil Factory (P) Ltd, Gurgaon. His services were terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication, — *vide* Gazette notification No. ID/GG/72A-69/, dated 7th November, 1969:—

Whether the termination of services of Shri Durga Dutt Joshi was justified and in order? If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties. It is, however, not necessary to decide this case on merits because the parties have arrived at an amicable settlement. The management have agreed to pay Rs. 200 (Rupees two hundred only) to the workman. It is agreed that this sum would include the wages due to the workman in lieu of unavailed leave as awarded by the authority under the Payment of Wages Act, Gurgaon, — *vide* his judgement, dated 12th December, 1969 and in consideration of this payment the aggrieved workman has given up his right of reinstatement and has agreed to withdraw the dispute pending in this Tribunal. The workman admits that no other amount whatsoever is due to him and nothing is payable to him except Rs 200 as stated above. The statements of the parties have been recorded and they admit the correctness of the compromise which appears to be fair and reasonable. In view of the terms of the compromise it is held that the workman is not entitled to be reinstated and that he would be entitled to get Rs 200 only. I give my award accordingly. No order as to costs.

The 5th January, 1970.

P.N. THUKRAL,
Presiding Officer
Industrial Tribunal, Haryana,
Faridabad

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P.N. THUKRAL,
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